

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

ALBERTA DE LA PAZ MATOS

Plaintiff

v.

TOYOTA MOTOR CORPORATION

Defendant

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Civ. No. 98-2285 (PG)

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OPINION & ORDER

As part of its responsibility for managing its docket, this Court has revisited the file of this case and notes the following chronology of events:

1. *November 16, 1998*: Plaintiff filed complaint with the Court.
2. *May 12, 1999*: Plaintiff requested a 120-day extension to serve the complaint upon Defendant.
3. *May 18, 1999*: The Court granted the 120-day extension.

DISCUSSION

No action has been taken in this case since May 12, 1999. On that day, the Court granted Plaintiff an extra 120 days to serve Defendant with the complaint. To date, more than ten months later, Plaintiff still has not served Defendant with the complaint.

It is the plaintiff's responsibility to develop and prosecute its own case. This Court has the responsibility "to achieve the orderly and expeditious disposition of cases," *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962). Therefore, pursuant to this "court['s] . . . unquestionable authority to dismiss a case with prejudice for want of prosecution in order to prevent undue delay in the disposition of pending cases, docket congestion and the possibility of harassment of defendant," *Jardines Ltd*

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Civ. No. 98-2285 (PG)


2.

Partnership v. Executive Homeseach Realty Serv. Inc., 178 F.R.D. 365 (D.P.R. 1998). *See also Zavala-Santiago v. González-Rivera*, 553 F.2d 710 (1st Cir. 1977), the Court DISMISSES the case WITH PREJUDICE. This Court's docket is congested enough and there is no place for plaintiffs who sit back and waste the Court's valuable time while it fails to serve a defendant with a complaint.

WHEREFORE, the above captioned case is hereby **DISMISSED with prejudice**.

IT IS SO ORDERED.

San Juan, Puerto Rico, March 30, 2000.


JUAN M. PEREZ-GIMENEZ
U. S. District Judge